

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

CRIMINAL TRIAL PROCEDURES AND PREPARATION

The following guidelines are provided to assist you in preparing for and conducting trial before the Honorable Harvey E. Schlesinger. **If you have any questions about these guidelines, or any other matter relating to the trial, please call Mr. Garry W. Randolph, Courtroom Deputy, at (904) 549-1315.**

(a) **Familiarity with Local Rules Required:** Counsel must be familiar with the Local Rules of the United States District Court for the Middle District of Florida. Particular attention should be directed to Local Rule 5.03 regarding courtroom decorum (attached). The Court construes Local Rule 503(b)(13) to prohibit an attorney from constantly writing on a display board the testimony of a witness.

(b) **Submission of Proposed Voir Dire Questions, Proposed Jury Instructions and Summary of Charge(s):** Counsel shall serve and file with the Clerk's Office all proposed voir dire questions, proposed jury instructions and summary of charge(s) not later than six (6) working days prior to the scheduled trial date. The Court prohibits counsel from asking voir dire questions not previously submitted in accordance with this requirement and Local Rule 5.01(c). Counsel shall meet in an attempt to agree on a single set of instructions to the jury and shall jointly file same with the Clerk's Office. If counsel cannot agree, counsel additionally shall file proposals as to those instructions that are contested. The United States shall file a short and concise (one or two page) **summary of the charge(s)** against the Defendant(s). The summary shall be written in simple terms and will be used by the Court to familiarize prospective jurors about the charge(s).

(c) **Pre-marking and Numbering Exhibits:** Counsel are responsible for pre-marking and numbering all exhibits prior to trial in accordance with Local Rule 3.07 (attached). Copies of blank Exhibit List and labels are attached.

(d) **Preparation and Exchange of Exhibit and Witness Lists:** Counsel are also responsible for posting the exhibit number and detailed description of each exhibit to the attached Exhibit List in accordance with Local Rule 3.07 (attached).

On the morning of trial, counsel shall exchange a copy of their Exhibit and Witness Lists with other counsel and **shall also provide three (3) copies of each list to the Courtroom Deputy.**

(e) **Sharing of Witness Fees:** Unless otherwise limited by the Court, counsel may share the cost of subpoenaing common witnesses.

(f) **Availability of Venire List:** The venire list of prospective jurors will be provided to counsel in accordance with Local Rule 5.01(b) (attached).

(g) **Method of Voir Dire Examination:** In accordance with Local Rule 5.01(a) (attached), criminal juries will consist of twelve (12) regular jurors and as many alternate jurors as the Court deems appropriate. As a rule, the Court will seat at least thirty-two (32) jurors randomly selected from the venire panel. The Court will then instruct the entire venire panel on the nature of the case and such other preliminary matters as may be appropriate. Thereafter, the Court will conduct an initial voir dire examination of the thirty-two (32) or more jurors.

Following the Court's voir dire examination, counsel may be afforded an opportunity to make inquiry of the thirty-two (32) or more jurors. Following counsel's questions, the Court will determine whether additional inquiry need be made of particular jurors. Counsel will then exercise their peremptory challenges out of the hearing of the jury.

(h) **Courtroom Attire:** It is the responsibility of defense counsel to ensure the defendant has appropriate courtroom attire for all court proceedings. **If the defendant is in custody, appropriate attire should be provided to the U.S. Marshal's Office, not the jail.**

Copy to:
Assistant U.S. Attorney
Defense Counsel

